

R E M A R K S

I. Introduction

Claims 1-4, 7-21, and 23-29 are pending in the application. All pending claims stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,815,665 (hereinafter "Teper") in view of U.S. Patent No. 6,405,174 (hereinafter "Walker")

Upon entry of this amendment, which is respectfully requested, claims 1-4, 7-14, 16-18, 21, and 23-29 will be amended to more distinctly claim current embodiments. No new matter is believed added by this amendment. Support for all amendments exists in the specification and claims as originally filed, and all such matter has previously been searched by the Examiner.

Applicants respectfully request reconsideration and further examination of the pending claims in view of the arguments presented herein and in accordance with 37 CFR §1.112.

II. The Examiner's Rejections Under 35 U.S.C. §103(a)

All pending claims stand rejected under 35 U.S.C. §103(a) as being unpatentable over Teper in view of Walker. All independent claims (claims 1, 23, and 25) are amended herein to more distinctly point out some of the distinctions between the currently claimed embodiments and the cited references. Accordingly, Applicants respectfully traverse this ground for rejection as follows.

A. The references fail to teach or suggest *providing the first incentive to a second user*

Applicants respectfully assert that both Teper and Walker fail to teach or suggest embodiments as recited in claims 1-4, 7-21, and 23-29. In particular, Teper and Walker, either alone or in combination, fail to teach or suggest *providing the first incentive to a second user*.

Teper describes a central service that acts as a broker between consumers and service providers. Teper allows consumers to anonymously purchase services online, to provide increased security and privacy for the consumer. Nowhere in Teper is a **first incentive** provided to a **second user** (e.g., a user other than the user that originally earned the incentive via an online purchase). Indeed, discounts, coupons, and other incentives are not even mentioned in Teper.

Walker simply fails to make up for the deficiencies of Teper. Walker generally describes a method of attracting customers to merchant sites by allowing a "soliciting merchant" (e.g., experiencing a low traffic rate) to partner with one or more "outputting merchants" to provide incentives to consumers to visit the "soliciting merchant". Nowhere does Walker describe providing a **first incentive** to a **second user**. In other words, Walker does not contemplate providing an incentive earned by a first consumer to a different consumer.

In contrast, currently claimed embodiments provide an aggregation service that collects incentives associated with registered users. A registered user that shops online, for example, may earn a discount on dog biscuits (e.g., by purchasing a cat toy at an online pet store). In some embodiments, the aggregation service collects the discount (e.g., the **first incentive**). The aggregation service may then, according to some embodiments, award users points associated with their respective online purchases. A **second user** may then, for example, trade in the points in exchange for the **first incentive** that has been collected by the aggregation service. In such a manner, for example, the first user, who may only have a cat (and thus has no use for dog biscuits or dog biscuit discounts), may still receive a benefit from the online purchase (e.g., by trading points in for a cat food coupon), while the first incentive earned by the first user may be utilized by the second user (e.g., a registered user that does have a dog).

Accordingly, Applicants respectfully assert that both Teper and Walker fail to anticipate (or render obvious) embodiments as recited in claims 1-4, 7-21, and 23-29, at least because Teper and Walker, either alone or in combination, fail to teach or suggest *providing the first incentive to a second user*.

Applicants therefore respectfully request that the §103(a) rejection of claims 1-4, 7-21, and 23-29, be withdrawn.

B. No *Prima Facie* Case for Obviousness

Claims 1-4, 7-21, and 23-29 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Teper in view of Walker. Even if the combination of Teper and Walker taught or suggested the limitations of the claimed embodiments (which Applicants assert that it does not), the §103(a) rejection of the pending claims would still be inappropriate because a *prima facie* case for obviousness has not been established. The Examiner has not, for example, pointed

to a specific teaching in either Teper or Walker that would have motivated one skilled in the art to combine the alleged teachings.

Applicants therefore respectfully request that the §103(a) rejections of claims 1-4, 7-21, and 23-29, be withdrawn.

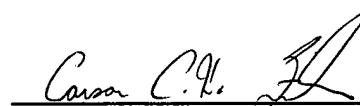
III. Conclusion

Accordingly, Applicants respectfully assert that each of the pending claims is patentable over the cited references. Applicants therefore respectfully request that all pending claims be allowed. Applicants' silence with respect to other comments made in the Office Action does not imply agreement with those comments. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at 203-972-4982.

Respectfully submitted,

March 9, 2005

Date



Carson C.K. Fincham
Reg. No. 54,096
Buckley, Maschoff & Talwalkar LLC
Attorneys for IBM Corporation
Five Elm Street
New Canaan, CT 06840
(203) 972-4982